# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA NORTHERN DIVISION No. 2:12-cv-00014-BR

In re:	)
CROATAN SURF CLUB, LLC	) Case No. 11-00194-8-SWH
Debtor.	
ROYAL BANK AMERICA,	)
Appellant, v.	) ) NOTICE AND STIPULATION OF ) WITHDRAWAL OF APPEAL
CROATAN SURF CLUB, LLC,	)
Appellee.	) ) )

Royal Bank America ("Appellant"), by and through its undersigned counsel and pursuant to Rule 8001 of the Federal Rules of Bankruptcy Procedure, and with the consent of Appellee Croatan Surf Club, LLC ("Appellee"), hereby provides notice of and withdraws its appeal (the "Appeal") from the final Order Denying Relief from the Automatic Stay Requested Under 11 U.S.C. § 362(d)(3), dated January 12, 2012, of the Honorable Stephani Humrickhouse, United States Bankruptcy Judge for the Eastern District of North Carolina. The Notice of Appeal was docketed by the United States District Court for the Eastern District of North Carolina on March 23, 2012 (Dkt. No.1). Appellant and Appellee agree that each party shall bear its own costs.

Dated: July 20, 2012

/s/ Jennifer B. Lyday

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### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice and Stipulation of Withdrawal of Appeal was filed electronically in accordance with the local rules and was therefore served electronically on those entities that have properly registered for such electronic service *and* by United States Mail, first class for those entities not registered for such electronic service (see attached Schedule 1) this 20<sup>th</sup> day of July, 2012.

#### /s/Jennifer B. Lyday

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#### Schedule 1

# **ECF Filing:**

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